

Senate Study Bill 1208 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON COMMERCE BILL BY
CHAIRPERSON SCHULTZ)

A BILL FOR

1 An Act relating to the financing of the construction or
2 repair of equipment or facilities used to provide
3 telecommunications services.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 28F.1, subsection 1, Code 2021, is
2 amended to read as follows:

3 1. **This chapter** provides a means for the joint financing
4 by public agencies of works or facilities useful and necessary
5 for the collection, treatment, purification, and disposal
6 in a sanitary manner of liquid and solid waste, sewage,
7 and industrial waste, facilities used for the conversion of
8 solid waste to energy, works or facilities useful for the
9 operation of a telecommunications system or the provision
10 of telecommunications services, gasworks and facilities
11 useful for the delivery of natural gas service, and also
12 electric power facilities constructed within the state of
13 Iowa, except that hydroelectric power facilities may also be
14 located in the waters and on the dams of or on land adjacent
15 to either side of the Mississippi or Missouri river bordering
16 the state of Iowa, water supply systems, swimming pools
17 or golf courses. **This chapter** applies to the acquisition,
18 construction, reconstruction, ownership, operation, repair,
19 extension, or improvement of such works or facilities, by a
20 separate administrative or legal entity created pursuant to
21 chapter 28E or **chapter 389**. When the legal entity created
22 under **this chapter** is comprised solely of cities, counties,
23 and sanitary districts established under **chapter 358**, or any
24 combination thereof or any combination of the foregoing with
25 other public agencies, the entity shall be both a corporation
26 and a political subdivision with the name under which it was
27 organized. The legal entity may sue and be sued, contract,
28 acquire and hold real and personal property necessary for
29 corporate purposes, adopt a corporate seal and alter the seal
30 at pleasure, and execute all the powers conferred in this
31 chapter.

32 Sec. 2. Section 384.37, subsection 19, Code 2021, is amended
33 by adding the following new paragraph:

34 NEW PARAGRAPH. *n.* Underground or overhead fiber connections
35 and other equipment or facilities useful for providing

1 telecommunications services.

2 Sec. 3. Section 384.62, subsection 2, Code 2021, is amended
3 to read as follows:

4 2. Special assessments for the construction or repair of
5 equipment or facilities useful for providing telecommunications
6 services or for the construction or repair of underground
7 connections for private property for gas, water, sewers, or
8 electricity may be assessed to each lot for the actual cost
9 of each connection for that lot, and the twenty-five percent
10 limitation does not apply. Such connections shall not be
11 installed to service railway right-of-way without written
12 agreement with the railway company owning or leasing the
13 right-of-way.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill relates to the financing of the construction
18 or repair of equipment or facilities used to provide
19 telecommunications services.

20 The bill permits joint financing under Code chapter
21 28F for works or facilities useful for the operation
22 of a telecommunications system or the provision of
23 telecommunications services.

24 The bill permits cities to use special assessments to
25 finance construction or repair of equipment or facilities
26 useful for providing telecommunications services.